

**MEDICAL EXAMINING BOARD
MINUTES
APRIL 21, 2010**

PRESENT: Carolyn Bronston, LaMarr Franklin, Jude Genereaux, Jerold Harter, Sujatha Kailas, Jack Lockhart, Raymond Mager, Ian Munro, Gene Musser, Sandra Osborn, Sheldon Wasserman

EXCUSED: Suresh Misra

STAFF: Gail Sumi, Division Administrator; Michael Berndt, General Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff

GUESTS: Ann Hletko, Council on Physician Assistants; David Pifer; Ian Pitz; Jacqueline Irland; Chris Rusch, WMA; Bryn and Tom Rude; Eric Jensen, WAPA, WSA, WACEP, WPA; John Jones, UWHC/UWSMPH; Brian Kleker; Karen Julian; Debra Lewandowski; Jene VanDenHout

CALL TO ORDER

Sujatha Kailas, Chair, called the meeting to order at 8:02 a.m. a quorum of seven (7) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- After Item “B” (Open Session) Under the item titled “Presentation of Proposed Stipulations and Final Decisions and Orders” **ADD:**
 - Amy Coulthard, DO
 - John J. Downing, MD
- Between Items “B” & “C” (Open Session) Directly following the item titled “Administrative Report” **ADD:**
 - Budget and Travel – Discussion – APPEARANCE – Jim Parker 8:30 a.m.
- Between Items “B” & “C” (Open Session) Directly following the item titled “Administrative Report” **ADD:**
 - MEB Annual Report Template – Board Review for Approval
- After Item “P” (Closed Session) Under the item titled “Deliberation of Proposed Stipulations Received in the Bureau After Mailing of the Agenda” **ADD:**
 - Amy Coulthard, DO
 - John J. Downing, MD

MOTION: Carolyn Bronston moved, seconded by Raymond Mager, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 17, 2010

MOTION: Jerold Harter moved, seconded by Ian Munro, to approve the minutes of March 17, 2010 as published. Motion carried unanimously.

**PRESENTATION OF ORAL ARGUMENTS IN THE PROPOSED DECISION
AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS
AGAINST JACQUELINE M. IRLAND, MD, RESPONDENT, DHA CASE NO.
DRL 09-0035, DOE CASE NO. 04 MED 322**

Attorney Ian Pitz, representing the respondent and Attorney Sandy Nowack, Division of Enforcement, presented oral arguments to the Board in the disciplinary proceedings against Jacqueline M. Irland, MD. This matter will be deliberated in closed session.

**PRESENTATIONS OF PROPOSED STIPULATIONS, FINAL
DECISIONS AND ORDERS**

SCOTT H. CONANT, MD

DOE attorney Arthur Thexton presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against Scott H. Conant, MD. This matter will be deliberated in closed session.

KARA J. HAMILTON, PA

DOE attorney Sandy Nowack presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against Kara J. Hamilton, PA. This matter will be deliberated in closed session.

SUMIT SINHA, MD

DOE attorney Sandy Nowack presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against Sumit Sinha, MD. This matter will be deliberated in closed session.

HAL BLAKE RIDGWAY, MD

DOE attorney Pamela Stach presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against Hal Blake Ridgway, MD. This matter will be deliberated in closed session.

**PRESENTATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS
AND ORDERS RECEIVED IN THE BUREAU AFTER MAILING OF THE
AGENDA**

AMY COULTHARD, DO

DOE attorney Sandra Nowak presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against Amy Coulthard, DO. This matter will be deliberated in closed session.

JOHN J DOWNING, MD

DOE attorney Pamela Stach presented a Proposed Stipulation and Final Decision and Order in the disciplinary proceedings against John J. Downing, MD. This matter will be deliberated in closed session.

**PRESENTATION OF PROPOSED DECISIONS RECEIVED IN THE BUREAU
AFTER MAILING OF THE AGENDA**

None.

**PETITIONS FOR RE-HEARING RECEIVED IN THE BUREAU AFTER
MAILING OF THE AGENDA**

None.

**PETITIONS FOR SUMMARY SUSPENSION IN THE BUREAU AFTER
MAILING OF THE AGENDA**

None.

**PETITIONS FOR EXTENSION OF TIME IN CASES RECEIVED IN THE
BUREAU AFTER MAILING OF THE AGENDA**

None.

**REQUESTS FOR DISCIPLINARY PROCEEDING PRESENTATIONS IN THE
BUREAU AFTER MAILING OF AGENDA**

None.

**APPEARANCES FROM REQUESTS RECEIVED OR RENEWED AFTER
MAILING OF THE AGENDA**

None.

**SPEAKING ENGAGEMENT, TRAVEL AND PUBLIC RELATION REQUESTS
RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

None.

ADMINISTRATIVE REPORT

DRL Launching Live Meeting and SharePoint Technology

Gail Sumi informed the Board about the new technology at DRL, Live Meeting and SharePoint. Live Meeting is a web based program and allows individuals to participate and view meetings from a remote computer. SharePoint will allow staff to post agendas and other board materials on the SharePoint site, and board members will be given viewing access. This will save paper, printing and mailing costs for the Department. The Board requested a demonstration of both Live Meeting and SharePoint at a future meeting.

Update of Board Web Pages on DRL Website

Board documents are posted to the DRL website. Board members are encouraged to look at their web pages and communicate any comments or concerns.

Several Board members are concerned that the Wisconsin Medical Examining Board is not easily accessed through internet search engines. The Board wants the IT Division to look into whether or not this is possible.

DRL Staff Update

Attorney and legal counsel positions have been filled in DOE and Board Services. DOE now has two attorney supervisors, one for the health team and the other for the business team. Kelli Kaalele is a new supervisor in Board Services.

BUDGET AND TRAVEL – DISCUSSION

Jim Parker appeared before the Board to discuss the budget and board travel. DRL will seek funding for travel to the FSMB annual conference in the next budget. If approved, this will most likely increase renewal and licensure fees. The DRL Secretary has sole discretion of funds.

Sue Kailas and Gene Musser want to be involved with the budget process, and will contact Tom Ryan.

MEB ANNUAL REPORT TEMPLATE BOARD REVIEW FOR APPROVAL

Sujatha Kailas presented the suggested template for the MEB Annual Report.

LATE AGENDA ITEMS POLICY – BOARD REVIEW

Gail Sumi reviewed the late agenda items policy with the Board. Sujatha Kailas stated it is helpful to receive the late additions via email the evening prior to the meeting. The members of the screening committee would prefer to pick up the red folder (late addition) items, if available, on the afternoon prior to the board meeting.

FEDERATION OF STATE MEDICAL BOARD (FSMB) ANNUAL CONFERENCE – DISCUSSION AND PLANNING

Attendees at the FSMB Annual Conference will be leaving for Chicago at the conclusion of today's meeting.

FSMB UPDATE SUJATHA KAILAS, GENE MUSSER AND SANDRA OSBORN

This item was deferred to the May meeting.

FSMB FOUNDATION CALL FOR BOARD OF DIRECTORS NOMINATIONS

The Board of Directors is an appointed position. Any MEB members who are interested in being nominated should contact Sujatha Kailas.

APPOINTMENT OF EXAMINERS FOR ORAL EXAMINATIONS JULY – DECEMBER, 2010

The Board would like Tom Ryan to email all the Board member for their availability for the oral examinations for July through December, 2010.

APPOINTMENT OF SCREENING PANEL JULY – DECEMBER, 2010

Board would like Tom Ryan to email all the Board member for their availability for the screening panel for July through December, 2010.

SCREENING PANEL REPORT

Carolyn Bronston reported the screening panel reviewed thirty six (36) cases, opened seven (7) cases, and sent five 10-day letters.

OUTREACH COMMITTEE REPORT

Sujatha Kailas reported the Outreach Committee met last month and will meet again in May. The October board meeting is planned to be held at the Medical College of Wisconsin.

ITEM WRITING WORKSHOP REPORT

Sandra Osborn reported the overview of the USMLE program was very interesting. Examination questions change and evolve every year.

IMPAIRED PROFESSIONALS PROCEDURE RULE DRAFTING UPDATE MICHAEL BERNDT

The IPP Taskforce has provided recommendations to Secretary Jackson. As smaller committee is now meeting and working on rule drafting.

DRL CREDENTIALING REVIEW AND Q & A APPEARANCES – DRL MEDICAL BOARD CREDENTIALING SPECIALISTS TAMIE BUCKINGHAM, BRITTANY HABERMAN AND JUSTIN

The appearances were postponed to the next meeting.

WIS. ADMIN. CODE MED § 10.02 (2) (S) – DISCUSSION

Dr. Jack Jones spoke with the Board regarding concerns with Wis. Admin, Code Med. § 10.02(2) (S). Drs. Musser, Wasserman and Harter will form a taskforce to review Chapter 10 and will report back to the Board.

LEGISLATIVE LIAISON REPORT GENE MUSSER, SHELDON WASSERMAN

The legislative session will soon be in recess and will not reconvene until January 2011.

Senate Bill 634, relating to: the regulation and licensure of genetic counselors and creating a genetic counselors affiliated credentialing board

No report.

Senate Bill 635, relating to duties of physicians and of the Medical Examining Board

No report.

Assembly Bill 267, relating to licenses and limited x-ray machine operator permits to engage in the practice of radiography and creating a radiography examining board

This bill was passed.

Assembly Bill 588, relating to changes to the regulation of massage therapy and bodywork and creating the Massage Therapy and Bodywork Therapy Examining Board

This bill was passed despite the objections of the Medical Examining Board.

Assembly Bill 653, relating to prescriptions for antimicrobial drugs for treatment of chlamydial infections, gonorrhea, or trichomoniasis

This bill is on track to pass prior to the legislative recess.

2009 Wisconsin Act 149, relating to the Physical Therapists Affiliated Credentialing Board

This bill passed. The physical therapists will no longer be affiliated with the Medical Examining Board.

**SUMMER 2010 REGULATORY DIGEST
REVIEW ARTICLE WRITING ASSIGNMENTS – SUJATHA KAILAS**

Sujatha Kailas asked the Board members to submit articles for the upcoming edition of the Regulatory Digest.

**APPLICATION ISSUES RECEIVED IN THE BUREAU AFTER MAILING OF
THE AGENDA**

None.

**EXAMINATION ISSUES RECEIVED IN THE BUREAU AFTER MAILING OF
THE AGENDA**

None.

**CONTINUING EDUCATION ISSUES RECEIVED IN THE BUREAU AFTER
MAILING OF THE AGENDA**

None.

**PRACTICE QUESTIONS RECEIVED IN THE BUREAU AFTER MAILING OF
THE AGENDA**

None.

**APPEARANCES FROM REQUESTS RECEIVED OR RENEWED AFTER
MAILING OF THE AGENDA**

None.

INFORMATIONAL ITEMS

Noted.

OTHER BUSINESS

Sujatha Kailas asked that a discussion of appearances for waivers of the 12-month ACGME approved post-graduate training, be put on the next agenda.

PUBLIC COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: Gene Musser moved, seconded by Carolyn Bronston, to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests and requests for licensure, deliberating on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and considering Division of Enforcement case status reports. Roll call vote: Carolyn Bronston-yes; LaMarr Franklin-yes; Jude Genereaux-yes; Jerold Harter-yes; Sujatha Kailas-yes; Jack Lockhart-yes; Raymond Mager-yes; Ian Munro-yes; Gene Musser-yes; Sandra Osborn-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open Session recessed at 11:27 a.m.

RECONVENE TO OPEN SESSION

MOTION: Sandra Osborn moved, seconded by Gene Musser, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 2:38 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED
SESSION IF VOTING IS APPROPRIATE**

MOTION: Jack Lockhart moved, seconded by Gene Musser, to reaffirm all motions made during closed session. Motion carried unanimously.

**REQUEST FOR WAIVER OF THE 12 MONTH ACGME APPROVED POST-
GRADUATE TRAINING BASED ON EDUCATION AND TRAINING**

BRIAN M. KLECKER, MD

Brian M. Klecker, MD, appeared before the Board.

MOTION: Ian Munro moved, seconded by Sheldon Wasserman, to approve the request of Brian M. Klecker, MD, to waive the requirement of the twelve month ACGME approved post-graduate training. Motion carried unanimously.

FULL BOARD ORAL EXAMINATION

ANTONIO R. BOLINAO, JR., MD

Antonio R. Bolinao, Jr., MD, appeared for a full board oral examination.

MOTION: Jerold Harter moved, seconded by Gene Musser, to deny licensure to Antonio R. Bolinao, Jr., MD, based on his failing the full board oral examination. Motion carried unanimously.

**DELIBERATION OF PROPOSED DECISION AND ORDER IN THE MATTER
OF DISCIPLINARY PROCEEDINGS AGAINST JACQUELINE M. IRLAND,
MD, RESPONDENT, DHA CASE NO. DRL 09-0035, DOE CASE NO. 04 MED 322**

MOTION: Jack Lockhart moved, seconded by Jude Genereaux, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order and adopt the ALJ's decision in the disciplinary proceedings against Jacqueline M. Irland, MD. Motion carried. Gene Musser, Ian Munro and Sheldon Wasserman were excused during deliberations and abstained from voting. Legal Counsel Michael Berndt was excused during deliberations.

**DELIBERATION OF PROPOSED STIPULATIONS AND FINAL DECISIONS
AND ORDERS**

SCOTT H. CONANT, MD

This matter was tabled to the next meeting.

KARA J. HAMILTON, PA

MOTION: Jerold Harter moved, seconded by Carolyn Bronston, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Kara J. Hamilton, PA. Motion carried unanimously.

SUMIT SINHA, MD

MOTION: Jerold Harter moved, seconded by Sheldon Wasserman, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Sumit Sinha, MD. Motion carried unanimously.

HAL BLAKE RIDGWAY, MD

MOTION: Jerold Harter moved, seconded by Jack Lockhart, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Hal Blake Ridgway, MD. Motion carried. Sandra Osborn abstained.

**CONSULTING WITH LEGAL COUNSEL IN THE MATTER OF
FRANK SALVI, MD**

The Board consulted with legal counsel. No motion was necessary.

**DELIBERATION OF PROPOSED STIPULATIONS RECEIVED IN THE
BUREAU AFTER MAILING OF AGENDA**

AMY COULTHARD, DO

MOTION: Ian Munro moved, seconded by Sheldon Wasserman, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Amy Coulthard, DO. Motion carried unanimously.

JOHN J. DOWNING, MD

MOTION: Carolyn Bronston moved, seconded by Jerold Harter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against John J. Downing, MD. Motion carried unanimously.

NOEMI PRIETO, MD

MOTION: Gene Musser moved, seconded by Jerold Harter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Noemi Prieto, MD. Motion carried unanimously.

MONITORING:

**GENE VAN DEN HOUT, RCP
REQUESTING STAY**

Gene Van Den Hout, RCP, appeared before the Board to answer questions relative to his request for stay of suspension.

MOTION: Jack Lockhart moved, seconded by Ian Munro, to grant a continuous stay to Gene Van Den Hout, RCP. Motion carried unanimously.

**JENNIFER NOLDEN, PA
REQUESTING MODIFICATION**

Jennifer Nolden, PA, appeared before the Board to answer questions relative to her request for modifications.

MOTION: Sandra Osborn moved, seconded by Raymond Mager, to table the discussion of this matter until further information is received from the therapist. Motion carried unanimously.

CONSULTING WITH LEGAL COUNSEL

The Board consulted with legal counsel during closed session.

**DIVISION OF ENFORCEMENT
CASE STATUS REPORTS AND CASE CLOSINGS**

07 MED 101

MOTION: Sandra Osborn moved, seconded by Ian Munro, to close case **07 MED 101** for no violation. Motion carried unanimously.

09 MED 405

MOTION: Jack Lockhart moved, seconded by Ian Munro, to close case **09 MED 405** for no violation. Motion carried unanimously.

07 MED 217

MOTION: Raymond Mager moved, seconded by Ian Munro, to close case **07 MED 217** for prosecutorial discretion. Motion carried unanimously.

08 MED 082

MOTION: Jude Genereaux moved, seconded by Gene Musser, to close case **08 MED 082** for no violation. Motion carried unanimously.

08 MED 351

MOTION: Ian Munro moved, seconded by Raymond Mager, to close case **08 MED 351** for no violation. Motion carried unanimously.

09 MED 078

MOTION: Ian Munro moved, seconded by Sandra Osborn, to close case **09 MED 078** for insufficient evidence. Motion carried. Gene Musser abstained.

09 MED 278

MOTION: Ian Munro moved, seconded by Sandra Osborn, to close case **09 MED 278** for no jurisdiction. Motion carried unanimously.

08 MED 231

MOTION: Raymond Mager moved, seconded by Jerold Harter, to close case **08 MED 231** for no violation. Motion carried unanimously.

10 MED 015

MOTION: Jerold Harter moved, seconded by Sandra Osborn, to close case **10 MED 015** for no violation. Motion carried unanimously.

09 MED 184

MOTION: Ian Munro moved, seconded by Jerold Harter, to close case **09 MED 184** for no violation. Motion carried. Sheldon Wasserman abstained.

07 MED 270

MOTION: Jack Lockhart moved, seconded by Ian Munro, to close case **07 MED 270** for no violation. Motion carried unanimously.

RATIFY LICENSES AND CERTIFICATES

MOTION: Gene Musser moved, seconded by Sandra Osborn, to ratify all licenses and certificates presented. Motion carried unanimously.

ADJOURNMENT

MOTION: Jude Genereaux moved, seconded by Carolyn Bronston, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:39 p.m.

THE NEXT BOARD MEETING IS MAY 19, 2010